

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE

CORY L. MURRAY

v.

SULLIVAN COUNTY SHERIFF'S
OFFICE, *et al.*

)
)
)
)
)
)

NO. 2:09-CV-225

MEMORANDUM

This *pro se* civil rights action under 42 U.S.C. § 1983 was filed while plaintiff was a prisoner in the Sullivan County Correctional Facility. On April 5, 2010, defendants filed an unopposed motion to dismiss this suit for plaintiff's failure to prosecute, correctly arguing that he had failed to notify the Court of his address change, as required in a prior order. [Doc. 20]. Though plaintiff had not advised the Court of his new address, he had taken other actions which seemingly indicated that he intended to pursue this case.

Since the discovery deadline was looming and since defendants had been unable to schedule plaintiff's deposition due to his change of address, the Court issued an order notifying plaintiff that the motion to dismiss would be granted, unless, within five days of the date on that order, he filed a response to defendants' motion, evidencing his intent to proceed in his lawsuit. [Doc. 21].

More than five days have passed since that order was entered, and

plaintiff has failed to respond to defendants' motion to dismiss or otherwise communicate with the Court. Accordingly, a separate order will enter **GRANTING** defendants' motion to dismiss and **DISMISSING** this action for want of prosecution. Fed. R. Civ. P. 41(b).

ENTER:

s/J. RONNIE GREER
UNITED STATES DISTRICT JUDGE